

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82483 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- ARA RAIL P.S. District- Bhojpur

Kanhaiya Sah @ Kanhaiya Saw Son of Birbal Sah, Resident of - Anaith, P.S.-
Ara Nawada, Distt – Bhojpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ara Rail P.S. Case No. 57 of 2019 registered for the offences punishable under Section 379 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the first information report and police has arrested the petitioner after five months of occurrence on mere suspicion. It is further submitted that the petitioner is in custody since 08.09.2019 having no criminal antecedent and no Test Identification Parade has been conducted so far.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, in which the allegation against the petitioner is that the stolen mobile



was found in his possession but the petitioner is not named in the F.I.R. and he is in custody since 08.09.2019 having no criminal antecedent and no Test Identification Parade has been conducted so far, let the petitioner above named be released on bail in connection with Ara Rail P.S. Case No. 57 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bhojpur, Ara, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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